

CITY OF ENNIS COMMISSION REGULAR MEETING

SEPTEMBER 2, 2014

7:00 P.M.

Mayor Thomas called the meeting to order at 7:06 p.m. on September 2, 2014, in the City Commission Chambers of the City of Ennis Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Thomas, Commissioners Salik, Frazier, Hackney, Walker, and Holley, City Manager Ewings, City Attorney Wilson, Chief Erisman, ED Coordinator Nelson, HR Coordinator Kellenberger, Chief Aycock, Fire Marshal Howell, Chief Building Official Richardson, City Secretary Batchler, and News Media.

Commissioner Searcy was not in attendance.

INVOCATION: Commissioner Walker

PLEDGE OF ALLEGIANCE was led by Mayor Thomas.

ROLL CALL to determine the presence of a quorum: The City Secretary called the roll and determined that a quorum was present.

MINUTES

Minutes of the August 18, 2014, workshop were approved as presented on a motion by Commissioner Walker and seconded by Commissioner Holley with all members present voting AYE. Minutes of the August 18, 2014, regular meeting were approved as presented on a motion by Commissioner Hackney and seconded by Commissioner Salik with all members present voting AYE. Minutes of August 25, 2014, special meeting were approved as presented on a motion by Commissioner Frazier and seconded by Commissioner Walker with all members present voting AYE.

FIRST READING

ORDINANCE 14-09-01

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, ADOPTING THE BUDGET AND APPROPRIATING RESOURCES FOR THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014.

The sum of \$17,289,575 is hereby appropriated to the General Fund as follows:

Operating Expenditures	\$13,541,317
I&S	<u>\$ 3,748,258</u>
TOTAL	\$17,289,575

That the sum of \$8,234,121 is hereby appropriated to the Water and Sewer Fund as follows:

Operating Expenditures	\$ 6,334,580
I & S	<u>\$ 1,899,541</u>
TOTAL	\$ 8,234,121

That the sum of \$252,254 is hereby appropriated to the Tourism Fund. That the sum of \$1,231,950 is hereby appropriated to the Sanitation Fund. That the sum of \$13,699 is hereby appropriated to the Court Technology Fund.

Commissioner Salik moved to Pass, Approve, and Adopt on first reading Ordinance 14-09-01 Commissioner Frazier seconded the motion and deliberation began. Mayor Thomas opened the public hearing regarding the FY 2014-2015 Budget at 7:25 p.m. The Mayor asked for public comment and there was none. The public hearing was closed at 7:26 p.m. Mayor Thomas called for the vote. Mayor Thomas, Commissioners Salik, Frazier, and Walker voted AYE. Commissioners Hackney and Holley voted Nay. Measure passed four (4) to two (2).

ORDINANCE 14-09-02

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, FIXING THE TAX RATE FOR THE CITY OF ENNIS, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014.

Commissioner Holley moved to Pass, Approve, and Adopt on first reading Ordinance 14-08-07 fixing the tax rate for FY 2014-2015 at \$0.429183 for General Fund, \$0.265817 for Interest & Sinking Fund for a total rate of \$0.6950. Commissioner Salik seconded and Mayor Thomas, Commissioner Salik, Commissioner Frazier, Commissioner Hackney, Commissioner Walker, and Commissioner Holley voted AYE. Measure passed with a six (6) to zero (0) vote.

ORDINANCE NO. 14-09-03

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, ADOPTING CERTAIN RATES AND FEES FOR FISCAL YEAR 2014-2015; MAINTAINING CERTAIN RATES AND FEES PREVIOUSLY ADOPTED; PROVIDING A SERVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Commissioner Frazier moved to Pass, Approve, and Adopt on first reading Ordinance 14-09-03.

Commissioner Salik seconded and the members present voted. Mayor Thomas, Commissioners Salik, Frazier, and Hackney voted AYE. Commissioners Walker and Holley voted Nay. Measure passed with a four (4) to two (2) vote. (fee schedule attached)

ORDINANCE NO. 14-09-04

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING THE CITY OF ENNIS PERSONNEL POLICIES AND PROCEDURES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The ordinance is being amended removing Fire Department Lieutenants and Captains as salaried employees and making them eligible for overtime in accordance with the Fair Labor Standards Act, to designate the day following Thanksgiving as a paid holiday for employees and designate the existing floating holiday as the September 11<sup>th</sup> holiday for uniformed Police and Fire personnel in accordance with Texas Local Government Code Chapter 142.0013.

Commissioner Walker moved to Pass, Approve, and Adopt Ordinance 14-09-04 on first reading and Commissioner Holley seconded. All members in attendance voted AYE. Motion carried with a six (6) AYE to zero (0) NAY votes.

ORDINANCE NO. 14-09-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AUTHORIZING AND APPROVING A LAND ACQUISITION BETWEEN THE ENNIS ECONOMIC DEVELOPMENT CORPORATION AND THE FALLEN FAMILY LTD. FOR A 43 ACRE TRACT OF LAND ON OAK GROVE ROAD; AMENDING THE FY 2013-2014 EDC BUDGET APPROPRIATING \$700,000 FOR LAND ACQUISITION AND "LIGHTS OF ENNIS"; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO APPROVE THE AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

The Mayor stated that all future EEDC activities will be presented in a workshop two weeks in advance of the item appearing on a City Commission Agenda for consideration allowing time for inquiry by the Commission regarding the item before being presented for a vote.

Commissioner Frazier moved to Pass, Approve, and Adopt Ordinance 14-09-05 authorizing and approving land acquisition between the EEDC and the Fallen Family LTD. for a 43 acre tract of land on Oak Grove Road and amending the 2013-2014 EDC budget appropriating \$700,000 for land acquisition and the "Lights of Ennis". Commissioner Salik seconded. Commissioner Holley inquired as to why an independent appraisal had not been done on the property. Commissioners Holley and Walker requested that an independent appraisal be performed. The Mayor asked Commissioner Frazier if she would like to amend the motion to include the performance of an independent appraisal of the property. Commissioner Frazier declined to amend the original motion. Mayor Thomas called for the vote. Mayor Thomas, Commissioners Salik and Fraizer voted AYE. Commissioners Hackney and Holley voted Nay. Commissioner Walker abstained

from voting on the measure. City Attorney Wilson stated that an abstention was the same as a no vote. Mayor Thomas called for a revote resulting in Commissioner Salik, Commissioner Frazier, and Mayor Thomas voting AYE. Commissioners Hackney, Walker, and Holley voting NAY.

ORDINANCE NO. 14-09-06

AN ORDINANCE OF THE CITY OF ENNIS, ELLIS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY A CLASSIFICATION; CONSIDER AMENDING THE ZONING ORDINANCE OF THE CITY OF ENNIS, TEXAS FROM "T" TRANSITION DISTRICT TO "M2" HEAVY MANUFACTURING DISTRICT FOR:

A tract or parcel of land situated in the City of Ennis, Ellis County, Texas and being Carl White Survey Abstract 1109, and also being part of that 54.92 Tract 1 conveyed to Enserch Corporation by deed recorded in Volume 818 Page 752 of the Official Public Records of Ellis County, Texas and being known as (11.1470 Acres) 744 FM 984. Requested by Atmos Energy and Represented by Don Dotson. P&Z case # 14.08.01

Commissioner Salik moved to Pass, Approve, and Adopt on first reading Ordinance 14-09-06 and Commissioner Walker seconded. Mayor Thomas opened the public hearing at 8:00 p.m. There were no comments from the public. The Mayor closed the public hearing at 8:01 p.m. All members in attendance voted AYE for the reclassification of the property. AYE-6, NAY-0

SECOND READING

ORDINANCE 14-08-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AUTHORIZING AND APPROVING THE FY 2014-2015 ENNIS ECONOMIC DEVELOPMENT CORPORATION BUDGET WITH "PROJECTS" PURSUANT TO THE TEXAS LOCAL GOVERNMENT CODE, SECTION 505.151 – 505.158.

Revenue:

Revenue Estimate:	\$1,498,780.00
Interest Income	\$ 39,409.01
Fund Balance	\$9,405,719.56
TOTAL	\$10,943,908.56

Expenditures:

Debt Service:	\$ 895,912.75
Operating:	\$1,170,000.00
Capital:	\$8,877,995.81
TOTAL	\$10,943,908.56

No action was taken on this agenda item.

NEW BUSINESS

Charge-Off of delinquent utility accounts in the amount of \$9,434.47 and approval of collection by the Office of the City Attorney. Commissioner Frazier moved for the charge-off and approval of collection by the City Attorney. Commissioner Salik seconded and all members in attendance voted AYE. AYE - 6, NAY - 0

OLD BUSINESS

APPOINTMENTS TO CITY OF ENNIS BOARDS AND COMMISSIONS:

No action taken on this agenda item.

REQUEST FROM CITY COMMISSION AND ROUNDTABLE:

Commissioner Walker challenged the commission to sing their own praises. "We have a lot of good things going on in the city. Let the public know of all the good projects going on." Commissioner Hackney said thank you for everyone working together. "I look forward to many more days working together with everyone." The Mayor extended a thank you to everyone present.

With no further business, Mayor Thomas adjourned the meeting at 8:05 p.m.

ATTEST:

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Donna Batchler, City Secretary

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Russell R. Thomas, Mayor

